

CALENDAR ITEM

C24

A 67

06/23/11

S 35

WP 8036.9

D. Simpkin

RECREATIONAL PIER LEASE

APPLICANTS:

Michael R. Van Voorhis and Denise Van Voorhis, Trustees and the Successor Trustees of the Van Voorhis Family Trust U/D/T Dated October 31, 2001

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 16923 Park Avenue, Sunset Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock and access ramp.

LEASE TERM:

10 years, beginning March 1, 2008.

CONSIDERATION:

No monetary consideration pursuant to Public Resources Code section 6503.5.

SPECIFIC LEASE PROVISIONS:

Liability insurance in the amount of no less than \$500,000.

OTHER PERTINENT INFORMATION:

1. Applicants own the upland property adjoining the lease premises.
2. The State of California acquired fee ownership of the Huntington Harbour Main and Midway Channels in 1961 as a result of a land exchange agreement entered into between the Commission and the Huntington Harbour Corporation, recorded as Sovereign Lands Location No. 34 dated December 22, 1960 and recorded on January 31, 1961 in Book 5611, Page 470, Official Records, Orange County, California. Projects, including new development or maintenance of existing facilities, extending into these Channels beyond the bulkhead line require a lease from the Commission pursuant to Public Resources Code section 6501.1. The

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Lessees upland property is located along the Midway Channel of Huntington Harbour.

3. On February 27, 1998, the Commission authorized a Compromise Title Settlement Agreement, AD 340, which settled certain title disputes between the State of California and two parties, one of which was Michael R. Van Voorhis and Denise L. Van Voorhis. The Compromise Title Settlement Agreement was then amended by Commission action dated June 19, 1998. As part of the amended Agreement, the Commission authorized a 10-year Recreational Pier Lease with Michael R. Van Voorhis and Denise Van Voorhis. On December 5, 2001, the upland was deeded to Michael R. Van Voorhis and Denise Van Voorhis, Trustees and the Successor Trustees of the Van Voorhis Family Trust U/D/T Dated October 31, 2001. The lease expired on February 28, 2008. The Applicants are now applying for a new Recreational Pier Lease.
4. The Applicants qualify for a Recreational Pier Lease because the Applicants are natural persons who own the littoral land that is improved with a single-family dwelling.
5. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370, et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the

EXHIBIT:

- A. Site and Location Map

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RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15061 as a categorically exempt project, Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370, et seq.

AUTHORIZATION:

Authorize issuance of a 10-year Recreational Pier Lease to Michael R. Van Voorhis and Denise Van Voorhis, Trustees and the Successor Trustees of the Van Voorhis Family Trust U/D/T Dated October 31, 2001, beginning March 1, 2008, for the continued use and maintenance of an existing boat dock and access ramp as shown on Exhibit A attached and by this reference made a part hereof; no monetary consideration pursuant to Public Resources Code section 6503.5; liability insurance in the amount of no less than \$500,000.